

RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY
RE: TENTATIVE DESIGNATION OF REDEVELOPER
PARCEL C-2-42A
DOWNTOWN WATERFRONT URBAN RENEWAL PROJECT MASS. R-77

WHEREAS, the Boston Redevelopment Authority, hereinafter referred to as the "Authority", has entered into a contract for loan and capital grant with the Federal Government under Title I of the Housing Act of 1949, as amended, which contract provides for financial assistance in the hereinafter identified project; and

WHEREAS, the Urban Renewal Plan for the Downtown Waterfront Urban Area, Project No. Mass. R-77, hereinafter referred to as the "Project Area", has been duly reviewed and approved in full compliance with local, state and federal laws; and

WHEREAS, the Authority is cognizant of the conditions that are imposed in the undertaking and the carrying out of urban renewal projects with Federal financing assistance under said Title I, including those prohibiting discrimination because of race, color, sex, religion or national origin; and

WHEREAS, North End Community Health Center has expressed an interest in and has submitted a request for redeveloper designation for the development of a nursing home on Parcel C-2-42A in the Downtown Waterfront Urban Renewal Area:

NOW, THEREFORE, BE IT RESOLVED BY THE BOSTON REDEVELOPMENT AUTHORITY:

1. That North End Community Health Center be and hereby is tentatively designated as redeveloper of Disposition Parcel C-2-42A in the Downtown Waterfront Urban Renewal Area subject to the following conditions:
 - (a) Submission of a DON application to the State Department of Public Health on May 1, 1979;
 - (b) Concurrence in the proposed disposal transaction by the Department of Housing and Urban Development, if necessary;
 - (c) Submission of "Redeveloper's Statement for Public Disclosure" (Federal Form H-6004);
 - (d) Publication of all public disclosures and issuance of all approvals required by the Massachusetts General Laws and Title I of the Housing Act of 1949, as amended;

- (e) Compliance by the redeveloper with any and all applicable statutes and rules and regulations concerning the protection of the environment. The redeveloper must also comply with all local zoning and building code requirements.
 - (f) A determination of the appropriate State agency or agencies that the environmental regulations for air and noise pollution levels do not prevent a nursing home use on the parcel.
 - (g) The submission of a site plan, schematic design plans and proposed building materials prior to the preparation of preliminary drawings to satisfy Section 106 historic requirements for new construction on sites listed in the National Register of Historic Places.
 - (h) The submission by the redeveloper of a copy of the Nursing Home Feasibility Study prepared by Scoville and Associates.
 - (i) The submission by the redeveloper of a copy of the application to the State Department of Public Health for Determination of Need.
 - (j) The submission by the redeveloper by May 1, 1979 of the date hereof; preliminary drawings and outline specifications satisfactory to the Authority.
 - (k) The submission of the redeveloper for Authority approval the following material:
 - (1) Final working drawings and specifications; and
 - (2) Evidence of the availability of a firm financial commitment.
2. That disposal of the parcel within the Downtown Waterfront Urban Renewal Area by negotiation is the appropriate method of making the land available for redevelopment.
 3. That it is hereby found and determined that the proposed development will not result in significant damage to or impairment of the environment and further that all practicable and feasible means and measures will be utilized to avoid or minimize change to the environment.
 4. That the Secretary is hereby authorized and directed to publish notice of the proposed transaction in accordance with Section 105 (e) of the Housing Act of 1949, as amended including information with respect to the Redeveloper's Statement for Public Disclosure (Federal Form H-6004).
 5. That the minimum disposition of price of the parcel is not subject to negotiation and will be established by independent appraisals as required by disposition procedures of the Department of Housing and Urban Development.

NORTH END COMMUNITY HEALTH CENTER
332 HANOVER STREET
BOSTON, MASSACHUSETTS 02113
742-9570

ELAINE WILSON,
Director
JONATHAN FINE, M.D.
Medical Director
LIVIA CENERIZIO,
Administrator

March 15, 1979

Mr. Robert Ryan, Director
Boston Redevelopment Authority
City Hall
Boston, Massachusetts

Dear Mr. Ryan:

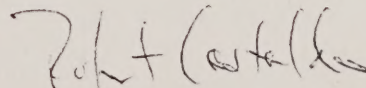
As we have discussed with you and your staff many times, the lot on the corner of Fulton and Richmond Streets is the only site on which we can build a nursing home in the North End. We would prefer to have a site which did not involve such tangled decision making, and explored, with your staff, alternatives. Since alternatives are not available to date, we would be pleased to do the following:

1. be designated tentative developer of Fulton/Richmond lot
2. give up that designation if the Certificate of Need is not granted, or if any other reason precludes building a nursing home
3. exchange that designation for an alternative site, should one become available within the next six months or so, that is of comparable size and allows cost effective construction.

If this compromise will allow us to break the log jam and move ahead with our project, we think all parties concerned would be pleased.

Thank you.

Sincerely,



Robert Castaldo
Chairperson, Nursing Home Subcommittee

March 20, 1979

Mr. John Dobie
Boston Redevelopment Authority
1 City Hall Square
Boston, MA 02201

RE: North End Nursing Home Proposal

Dear Mr. Dobie: *Jim*

The conclusion of our study dated March 1, 1979 clearly indicated that a Nursing Home containing at least one maximum unit of 60 beds could be accommodated on the St. Mary's School site. In order to demonstrate this conclusion we prepared a quick feasibility study drawing. Twice within as many weeks our conclusion has been questioned by two different architects employed by the North End Health Center. The first, attempted to prove mathematically that the 60 bed unit could not possibly fit on the site. Unfortunately, his calculations were in error by over 10,000 square feet. The second Architect, H.K. Fitzgerald, Jr. and Associates, Inc., never states that the maximum unit cannot fit, but instead cites a number of instances of conflicts of detail on the feasibility study plan that he feels will require waivers by the State and Federal licensing authorities. It is the intention of this letter and the accompanying revised plan to demonstrate our initial conclusion: the Nursing Home as we presently understand its program, can fit on the St. Mary's School site, and do so without significant requirements for waivers.

The following is a point by point reaction to Mr. Fitzgerald's comments:

A. Site Plan

1. We are not aware of any requirement by the fire department to have greater than 9' access to the rear of a building that will be of protected non-combustible(2A) construction with accompanying standpipe and other protectives.

B. Outdoor recreation in addition to or in place of the courtyard as shown on the drawings can easily and pleasantly be

MARKUS AND NOCKA
1932-1970
ROBERT H. DE VRIES
GARY L. GRAHAM
ROBERT W. GROW
PETER HANEY
GARY LAHEY
DANIEL MEUS
THOMAS M. PAYETTE
DAVID J. ROWAN
JOHN P. RUFFING
JONATHAN F. WARBURG
JOHN L. WILSON

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accomodated as a roof garden without any requirements for a waiver.

2. An off street ambulance entrance can be provided without a waiver.
3. The approximately 50 cars of required parking could be provided in subsurface lots on the proposed site. This however seems very ~~important~~ ^{impractical} and it would be our recommendation to obtain a waiver for this requirement. We have already had indications that this waiver is easily obtainable from Mr. Guy of the State Department of Health, not Mr. Russell of DHEW.
4. Mr. Fitzgerald is in error stating that all windows be 3 hour rated. His reference concerns one story buildings of unlimited floor area. This obviously does not apply. The proper requirement for a fire separation of between 11 and 30 feet is windows of a 3/4 hour assembly, which is easily obtainable with wire glass and steel frames, or with a simple deluge system.

Mr. Fitzgerald is also in error in his conclusion that a waiver is required for nonoperable windows as this condition is allowable, and it should be recognized also as a requirement for the Fulton St. site.

- C. 40 BED UNIT FLOOR (many points applicable to 60 Bed unit)
1. The word clinic is not necessary, no waiver required.
 2. The tub room fits in the revised plan and therefore no waiver is required.
 3. Medication room is now provided in revised plan and in addition, Mr. Fitzgerald is in error, the requirement (federal) is for 50 sq. ft. if a medication room is provided, not 30 sq. ft.
 4. Oxygen storage can be accomodated, no waiver required.
 5. Mr. Fitzgerald states that only one exam room is required in the building. Actually federal regulations require one exam room of 120 sq. ft. per patient floor. This requirement is still accomodated.
 6. The revised plan demonstrates that all 1,2 and 4 bedrooms

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meet DPH requirements. Therefore no waivers are required for this issue.

7. Revised plans accomodate toilet and shower requirements.
8. The day room cantilever will only require the same 3/4 hour protection if it is 30' or less from the lot lines opposite. This is very probably not the case, nor is it a great problem if it is. In any case, no waivers are required.

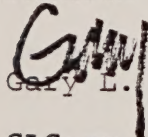
D. SIXTY BED UNIT

1. The nurses station on the revised plans is now less than 100 ft. from furthest door and therefore no waiver is required.
2. Medicine room is now provided
3. Institutional tub room is now provided.
4. Four bedded room s meet DPH requirements.

We understand that there are many other factors regarding site ~~selection~~ for the nursing home. However, if ability to fit on the site were the only criteria, the St. Mary's School site is an appropriate site for the Nursing Home.

Very truly yours,

PAYETTE ASSOCIATES INC.



Gary L. Graham

GLG:cp

P.S. The drawing was completed prior to the meeting on Thursday, March 15, 1979

CALLAHAN TUNNEL

TUNNEL RETAINING WALL

MTA

29.14'

56.98'

60.93'

92.14'

54.18'

EXIT RAMP

64.23'

PARCEL
C-2-42B

PARCEL
C-2-42A

Area = 21,800[±] S.F.

MTA AREA = 3400[±] S.F.

152' ±
175.6' ±
167.56' ±

RICHMOND STREET

P PARCEL
W/HER
BRA

98' ±

108' ±

FULTON

STREET

March 22, 1979

3745

MEMORANDUM

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: ROBERT J. RYAN, DIRECTOR

SUBJECT: DOWNTOWN WATERFRONT-FANEUIL HALL URBAN RENEWAL PROJECT NO.
MASS. R-77 TENTATIVE DESIGNATION OF REDEVELOPER FOR PARCEL
C-2-42A - NURSING HOME

At the outset, I want to state my firm support for a nursing home in the North End community. The Authority recognizes this legitimate need and is committed to work with the North End Community Health Center to submit a determination of need application to the State Department of Public Health on May 1, 1979 and to expedite the processing of any and all requirements to make the nursing home become a reality.

The North End Community Health Center has requested that the Authority tentatively designate the Center as redeveloper of a parcel on Fulton Street for a 140 bed nursing home. Under the Urban Renewal Plan, the intended use of this parcel has been for a parking garage and a community facility. In the interim, the parcel has been used as a temporary parking lot for residents of the community.

The North End Health Center has stated that there is a need for a 140 bed nursing home in the North End and has indicated that the Fulton Street parcel is the Center's preferred site. The overall parcel is large enough to accommodate a nursing home while at the same time leaving a site for future development. The Health Center has indicated in their various submissions that they require a site from 15,000 square feet and upwards.

The Authority's Consultant, Gary Graham, has indicated that a nursing home consisting of 60 Level III beds, 40 Level II beds and 40 Level I beds can be constructed on parcel C-2-42A, as shown in attached plan. It is therefore proposed that the North End Health Center be granted tentative designation as redeveloper of parcel C-2-42A at the corner of Fulton and Richmond Streets consisting of approximately 21,800 square feet of which the Authority directly controls approximately 18,400 square feet. It is suggested that the Health Center negotiate with the Turnpike Authority to use as open space or parking, approximately 3,400 square feet of Turnpike property which is currently part of our parking lot. We will cooperate with the Health Center to secure this license from the Turnpike Authority. The remaining land area known as Parcel C-2-42B on the attached Plan, will continue to be utilized as community residential parking.

Since the Fulton-Commercial Streets area where the parcel is located is designated as an historic district and is listed in the National Register of Historic Places, the design and building materials must be harmonious with structures in the surrounding area. The nursing home should be sited on the front of the parcel along the back of the sidewalk, reflecting the moderate scale street front architecture of the North End.

The developer of the Nursing Home is the North End Health Center, Elaine Wilson, Director. The Architect is H.K. Fitzgerald Associates of Newton, Mass.

The firm of Scoville and Associates, Inc. has been hired by the Health Center to conduct a feasibility study and to file a determination of need application to be submitted to the State Department of Public Health on May 1, 1979.

Although the Health Center has not submitted architectural plans and financial data which are usually required with a developer proposal, it is recommended that the Authority tentatively designate the Health Center as developer of the parcel so that the application for DON can be submitted to the Department of Public Health before the May 1 deadline.

In line with the Health Center's letter of March 15, 1979 it is recommended that the Center continue to study alternative sites, including the St. Mary's parcel, and to agree to exchange the designation for a alternate site should one become available within the next six months that is comparable in size and cost.

Again, I want to reiterate my support for a nursing home in the North End and I am confident that with all parties cooperatively working together, this Project will come to fruition.

An appropriate resolution is attached.